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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/478,822	01/06/2000	John Van Hamont	Army-104	2214
7590 03/14/2006			EXAMINER	
Elizabeth Arwine us army medical resherch and material command 504 scott street fort derick, MD 21702			WANG, SHENGJUN	
			ART UNIT	PAPER NUMBER
			1617	
			DATE MAILED: 03/14/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)		
Office Action Summary		09/478,822	HAMONT ET AL.		
		Examiner	Art Unit		
		Shengjun Wang	1617		
Period fo	The MAILING DATE of this communication apport	pears on the cover sheet with the c	orrespondence address		
WHIC - External after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING Donsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. Operiod for reply is specified above, the maximum statutory period vier to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be timwill apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE.	N. nely filed the mailing date of this communication. D. (35 U.S.C. 8 133).		
Status					
2a)□	<i>,</i> —	action is non-final. nce except for formal matters, pro			
Dispositi	ion of Claims				
5) □ 6) ⊠ 7) □ 8) □ Applicati 9) □ 10) □	Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) 1-10 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and/o ion Papers The specification is objected to by the Examine The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct	wn from consideration. r election requirement. r. epted or b) objected to by the Edrawing(s) be held in abeyance. See ion is required if the drawing(s) is objected to by the legan in the drawing(s) is objected to by the legan in the drawing(s) is objected in the drawing(s)	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).		
	The oath or declaration is objected to by the Ex	ammer. Note the attached Office	Action or form PTO-152.		
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
2)	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	(PTO-413) . te atent Application (PTO-152)		

DETAILED ACTION

Applicants' amendments submitted January 26, 2006 have been considered and entered.

No Error in this Reissue Application

1. The reissue oath/declaration filed with this application is defective because the error which is relied upon to support the reissue application is not an error upon which a reissue can be based. See 37 CFR 1.175(a)(1) and MPEP § 1414. The application, as amended, is identical to the issued patent, there is no error as asserted in the oath/declaration.

Rejections under 35 U.S.C. § 251

Claims 1-10 are rejected as being based upon a defective reissue oath/declaration under
 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the oath/declaration is set forth in the discussion above in this Office action.

The Patent has Expired

US patent 5,705,197 is expired, as the second maintenance fee has not been paid.

Therefore, this reissue application is improper as it bases on an expired patent.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shengjun Wang whose telephone number is (571) 272-0632. The examiner can normally be reached on Monday to Friday from 7:00 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan, can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER
Shengjun Wang
Primary Examiner
Art Unit 1617